

REMARKS/ARGUMENTS

This is responsive to the objections and rejections in the Office Action of March 8, 2005.

Patentable Subject Matter

We acknowledge with appreciation that patentable subject matter was found in independent claims 1 and 24. In view of the correction of all informalities in the present Amendment, allowance of claims 1-46 is now requested.

Specification

The Abstract is being replaced by a shorter abstract as required.

Claim Objections

The Examiner's suggested claim revisions on page 2 have been adopted, with two exceptions. First, the Examiner's suggestion for claim 34, line 7, is being adopted by changing "selection as," in line 4 of claim 34, to "the step of selecting". Second, the Examiner's suggestion to revise the word "said" at claim 37, line 3 cannot be understood, since the word "said" does not appear in line 3.

35 U.S.C. §112, paragraph 1

Claims 5-9, 19, 23-24, 28-32, 42 and 46 were rejected under 35 U.S.C. §112, first paragraph.

Although claim 24 was mentioned in this rejection, no grounds for rejection are actually seen in the Office Action.

The Examiner stated that the "time domain window stage" of claim 5 and the "time domain window function" of claim 28 are not supported by the drawings. The Examiner argued that time domain windowing does not suppress side lobes of a specified frequency response, as originally recited in claims 5 and 28. Reconsideration is requested. Time domain windowing and frequency domain windowing are explained at page 20, lines 9-13 and page 21, lines 19-24. To

clarify the issues without limiting the scope of claims 5 and 28, these claims are being placed in independent form and revised by eliminating the references to “the frequency response of the first stage” (claim 5) and “the frequency response of the first transformed signal” (claim 28). Claims 5 and 28 are now clearly supported by Fig. 1. Claims 6-9, 19, 29-32 and 42 depend either directly or indirectly from claims 5 and 28 and are also supported by Figure 1.

The Examiner rejected claims 23 and 46 on the ground that they are not supported by Fig. 2. Reconsideration is requested. Claims 23 and 46 are supported by Fig. 5A.

Therefore, the 35 U.S.C. §112, paragraph 1 rejections may now be withdrawn.

35 U.S.C. §112, paragraph 2

Claims 1-46 were rejected under 35 U.S.C. §112, second paragraph.

The Examiner raised issues with the wording of claims 17, 24 and 40. Clarifying amendments have been made to claims 17, 24 and 40 without changing the scope of the claims.

The Examiner questioned the antecedent support for the phrase “the frequency domain equalized signal” in claim 35. Antecedent support for this phrase exists at claim 24, lines 8-9.

The Examiner also stated that “a predefined test” in claims 1 and 24 was “undefined that the claim failing to clearly indicate the subject matter.” Reconsideration is requested. According to the actual claim language, a logic stage selects an output from the first data path or the second data path on the basis of a predefined test, and provides a selected output representing the demodulated digital bit stream. This refers to the bin-select logic stage (300, 300' or 300") which selects the output of either the first (100, 100', or 100") or second (200, 200', 200") data path by applying a predefined test. This basic function is explained at page 9, lines 7-15. One test disclosed in the specification is to select, for a given bin, the path that yields higher bits-per-bin. The unwindowed data path is chosen in case of a tie. Page 9, lines 15-19; page 29, lines 11-15. Another test is to determine which data path has a higher SNR. Page 29, line 15.

Thus, “a predefined test” in claims 1 and 24 is explained by the specification, and further, examples are given.

For the foregoing reasons, withdrawal of the 35 U.S.C. §112, paragraph 2, rejection is requested.

Conclusion

In view of the foregoing, the Examiner is requested to withdraw the outstanding objections and rejections and allow claims 1- 46.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450, on August 8, 2005

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August 8, 2005

Date of Signature

Respectfully submitted,

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